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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION**
10

11 JUSTIN A. GOPEN,

12 Plaintiff,

13 v.

14 THE REGENTS OF THE
15 UNIVERSITY OF CALIFORNIA

16 Defendant.

Case No. 8:15-cv-02062-JVS-KES

[Hon. James V. Selna]

[Magistrate Judge Hon. Karen Scott]

**JUDGMENT ON SPECIAL
VERDICT**

Complaint filed: December 11, 2015

Trial Date: August 22, 2017

17
18 This action came on regularly for trial on August 22, 2017, in Department
19 10C, of the above-entitled Court, the Honorable Jame V. Selna, presiding. Plaintiff,
20 JUSTIN GOPEN appeared by his attorney, Aaron Gopen of the Law Offices of
21 Aaron Gopen; Defendant, THE REGENTS OF THE UNIVERSITY OF
22 CALIFORNIA, appeared by its attorneys, Margaret M. Holm and Jemma E. Dunn
23 of Sedgwick, LLP.

24 A jury of 8 persons was impaneled and sworn. After hearing the evidence
25 and arguments of the parties, the jury was duly instructed by the Court and the cause
26 was submitted to the jury with directions to return a verdict on special issues. The
27 jury deliberated and thereafter returned into court with its verdicts consisting of the
28 special issues submitted to it as follows:

1 We the jury in above entitled-case find unanimously as follows:

2 1. Do you find by a preponderance of the evidence that The Regents of
3 the University of California violated Justin Gopen's rights under American's with
4 Disabilities Act?

5 ☐ Yes ☒ No

6
7 2. Do you find by a preponderance of the evidence that The Regents of
8 the University of California violated Justin Gopen's rights under the Rehabilitation
9 Act?

10 ☐ Yes ☒ No

11
12 3. Do you find by a preponderance of the evidence that The Regents of
13 the University of California violated Justin Gopen's rights under the Unruh Act? If
14 your answer to Question No. 1 was "Yes," you must answer this question "Yes."

15 ☐ Yes ☒ No

16
17 4. Do you find by a preponderance of the evidence that The Regents of
18 the University of California violated Justin Gopen's rights under Disabled Persons
19 Act? If your answer to Question No. 1 was "Yes," you must answer this question
20 "Yes."

21 ☐ Yes ☒ No

22
23 5. Do you find by a preponderance of the evidence that The Regents of
24 the University of California violated Justin Gopen's rights under the Emergency
25 Medical Treatment and Labor Act?

26 ☐ Yes ☒ No

27
28

1 6. Do you find by a preponderance of the evidence that The Regents of
2 the University of California violated Justin Gopen's rights under Health and Safety
3 Code Section 1317?

4 ___ Yes X No

5
6 7. Do you find by a preponderance of the evidence that The Regents of
7 the University of California committed fraud?

8 ___ Yes X No

9
10 If you answered "Yes" to at least one question, answer the next question.
11 Otherwise skip to the end and sign and date the verdict.

12
13 8. What damages do you find by a preponderance of the evidence of the
14 evidence Justin Gopen sustained for:

15 Past non-economic loss: \$ _____

16 Future non-economic loss: \$ _____

17
18 Count each element of damage only once even if it applies to more than one
19 claim.

20
21 9. If you awarded damages in answering Question No. 8, did you award
22 damages for:

23 The Americans with Disability Act: ___ Yes ___ No

24 The Rehabilitation Act: ___ Yes ___ No

25
26 ///

27 ///

28 ///

1 10. If you answered Question No. 3 concerning the Unruh Act "Yes,"
2 answer this question. In answering Question No. 8, did you include actual damages
3 for the violation of the Unruh Act?

4 ___Yes ___No

5
6 If "Yes", how much: \$_____

7
8 11. If you awarded zero or less than \$4,000 for each occurrence of a
9 violation of the Unruh Act, enter the difference between the amount you awarded
10 for each occurrence of a violation of the Unruh Act and \$4,000. (This number
11 cannot be more than \$4,000 for each occurrence.)

12
13 \$_____

14
15 12. If you answered Question No. 4 concerning the Disabled Persons Act
16 "Yes," answer this question. In answering Question No. 8, did you include actual
17 damages for the violation of the Disabled Persons Act?

18 ___Yes ___No

19
20 If "Yes", how much: \$_____

21
22 12. If you awarded zero or less than \$1,000 for each occurrence of a
23 violation of the Disabled Persons Act, enter the difference between the amount you
24 awarded for each occurrence and \$1,000. (This number cannot be more than \$1,000
25 for each occurrence.)

26
27 \$_____

1
2 Dated: September 5, 2017

Deborah Reza

3 Foreperson
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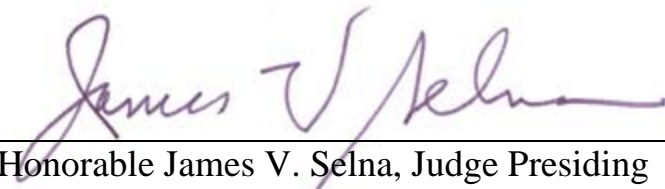
5 It appearing by reason of Special Verdict that Defendant, THE REGENTS OF
6 THE UNIVERSITY OF CALIFORNIA, is entitled to recover costs against Plaintiff,
7 JUSTIN GOPEN.

8 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that:

9 1. Plaintiff, JUSTIN GOPEN shall take nothing from Defendant, THE
10 REGENTS OF THE UNIVERSITY OF CALIFORNIA.

11 2. Defendant, THE REGENTS OF THE UNIVERSITY OF
12 CALIFORNIA, shall recover against Plaintiff, JUSTIN GOPEN its allowable costs
13 in the amount of \$_____ pursuant to a memorandum of costs which may be
14 filed in accordance with *Federal Rules of Civil Procedure*, Rule 54 and 28 USCS §
15 1920.
16

17 DATED: September 18, 2017

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20 Honorable James V. Selna, Judge Presiding
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